




IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Claude E. Brown
Serial No.: 09/735,186
Filed: December 15, 2000
For: AGRICULTURAL METHODS WITH
SUPERHEATED STEAM
Art Group Unit: 3643
Examiner: J. Gellner
Docket: 800132-15

**CERTIFICATE OF
MAILING/TRANSMISSION
(37 C.F.R. § 1.8A)**

I hereby certify that this correspondence is, on the date shown below, being:
☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.
☐ transmitted by facsimile to the Patent and Trademark Office.

July, 29, 2004
Date


Steven R. Vosen

**STATEMENT OF STATUS AND
SUPPORT FOR CHANGES TO CLAIMS UNDER 37 C.F.R. §1.173(c)**

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Changes to the claims are presented in the Amendment attached herewith. This paper presents a status of claims and support for changes to claims under §1.173(c) for all claims amended from the parent of this reissue patent application (U.S. Patent No. 5,848,492), and for all new claims presented.

STATUS OF CLAIMS

Claims 1-18, 22-42 and 44-46 are pending, and Claims 19-21 and 43 have been cancelled.

SUPPORT FOR CHANGES TO CLAIMS

Claims 1, 9, and 11 have been amended relative to the U.S. Patent 5,848,492, and Claims 22-42 and 44-46 were added upon filing or during prosecution of this reissue patent application. The following support is provided for all new and amended claims.

Claims 1 and 9 were amended from the corresponding claims of the parent application in Preliminary Amendment "B" dated 2/16/01. The amendment of "supersaturated steam" to "saturated steam" was presented to correct a typographical error. The term "saturated steam" has antecedent basis in the original Claim 1 and 9. Support for the amendment, if needed, is found in Fig. 2 and the discussion of that figure at column 6, lines 22-27.

Claim 11 was amended from Claim 11 of the parent application upon filing of the present application, and was subsequently amended. The amended Claim 11 differs from Claim 11 of the parent application only by the correction of a typographical error (removal of a punctuation mark).

Claim 22 was presented as new upon filing the present application, and was subsequently amended. This claim is directed to delivering steam to a plant having a graft sufficient to inhibit a growth of suckers of canes. Support for the method of generating superheated steam is found in column 6, lines 8-30. Support for the delivering of steam to a specific plant having a graft sufficient to inhibit a growth of suckers of canes is found in column 5, lines 5 – 8. In addition, the application superheated steam to a variety of plants is found in the SUMMARY OF THE INVENTION in column 2, lines 40-50, and with reference to FIG. 1 in column 4, lines 8-10.

Claim 23 was presented as new upon filing the present application, depends on Claim 22 and is directed to a plant that is a fruit plant. Support for this claim is found in the support for Claim 22, and with reference to a fruit plant, in column 2, lines 39-46 (trellised plants and fruit trees) and column 5, lines 1-8 (grape vines).

Claim 24 was presented as new upon filing the present application, depends on Claim 22 and is directed to a plant that is a cotton plant, which is a type of shrub and is a commonly cultivated plant. Support for this claim is found in the support for Claim 22, and in column 2, lines 39-46 and column 4, lines 8-10.

Claim 25 was presented as new upon filing the present application, depends on Claim 22 and is directed to a plant that is a vine, tree, or a shrub. Support for this claim is found in the support for Claim 22, and in column 2, lines 39-46 and column 4, lines 8-10.

Claim 26 was presented as new upon filing the present application, depends on Claim 25 and is directed to a vine that is a grape vine. Support for this claim is found in column 5, lines 1-8.

Claim 27 was presented as new upon filing the present application, depends on Claim 25 and is directed to a tree that is a nut tree, which is a well-known cultivated tree. Support for this claim is found in the support for Claim 25, and in column 2, lines 39-46 and column 4, lines 8-10.

Claim 28 was presented as new upon filing the present application, depends on Claim 22 and is directed to delivering a flow adjacent to a graft. Support for this claim is found in the support for Claim 22, specifically at column 5, lines 1-5.

Claim 29 was presented as new upon filing the present application, depends on Claim 22 and is directed to delivering a flow to a root stock of a graft. Support for this claim is found in the support for Claim 22, specifically at column 5, lines 1-5.

Claim 30 was presented as new upon filing the present application, and was subsequently amended. This claim is directed to delivering steam adjacent a graft sufficient to inhibit a growth adjacent to the graft. Support for the method of generating superheated steam is found in column 6, lines 8-30. Support for delivering steam to a specific a graft sufficient to inhibit a growth adjacent to the graft (suckers of canes) is found in column 5, lines 5-8. In addition, the application superheated steam to a variety of plants is found in the SUMMARY OF THE INVENTION in column 2, lines 40-50, and with reference to FIG. 1 in column 4, lines 8-10.

Claim 31 was presented as new upon filing the present application, depends on Claim 30 and is directed to a graft that is a graft of a fruit plant. Support for this claim is found in the support for Claim 30, and in column 2, lines 39-46 (trellised plants and fruit trees), and column 5, lines 1-8 (grape vines).

Claim 32 was presented as new upon filing the present application, depends on Claim 30 and is directed to a graft that is a graft of a cotton plant, which is a type of shrub and is a commonly cultivated plant. Support for this claim is found in the support for Claim 30, and in column 2, lines 39-46 and column 4, lines 8-10.

Claim 33 was presented as new upon filing the present application, depends on Claim 30 and is directed to a graft that is a graft of a vine, tree, or a shrub. Support for this claim is found in the support for Claim 30, and in column 2, lines 39-46 and column 4, lines 8-10.

Claim 34 was presented as new upon filing the present application, depends on Claim 33 and is directed to a graft that is a graft of a grape vine. Support for this claim is found in column 5, lines 1-8.

Claim 35 was presented as new upon filing the present application, depends on Claim 33 and is directed to a graft that is a graft of a nut tree, which is a well-known cultivated tree. Support for this claim is found in the support for Claim 33, and in column 2, lines 39-46 and column 4, lines 8-10.

Claim 36 was presented as new upon filing the present application, depends on Claim 30 and is directed to a growth that is a leaf, a sucker, or a cane. Support for this claim is found in the support for Claim 30, specifically at column 5, lines 1-8.

Claim 37 was presented as new upon filing the present application and was amended subsequently. This claim is directed to delivering superheated steam to fumigate a plant. Support for these claims is found, in part, in the SUMMARY OF THE INVENTION at column 2, lines 50-59, and at column 5, lines 11-14 and column 6, lines 12-13.

Claim 38 was presented as new upon filing the present application, depends on Claim 37 and is directed to a plant that is a fruit plant. Support for this claim is found in the support for Claim 37, and in column 2, lines 39-46, column 4, lines 8-10 and column 5, lines 1-8.

Claim 39 was presented as new upon filing the present application, depends on Claim 37 and is directed to a plant that is a cotton plant, which is a type of shrub and is a commonly cultivated plant. Support for this claim is found in the support for Claim 37, and in column 2, lines 39-46 and column 4, lines 8-10.

Claim 40 was presented as new upon filing the present application, depends on Claim 37 and is directed to a plant that is a vine, tree, or a shrub. Support for this claim is found in the support for Claim 37, and in column 2, lines 39-46 and column 4, lines 8-10.

Claim 41 was presented as new upon filing the present application, depends on Claim 40 and is directed to a vine that is a grape vine. Support for this claim is found in column 5, lines 1-8.

Claim 42 was presented as new upon filing the present application, depends on Claim 40 and is directed to a tree that is a nut tree, which is a well-known cultivated tree. Support for this claim is found in the support for Claim 40, and in column 2, lines 39-46 and column 4, lines 8-10.

Claim 44 was presented as new in the amendment of 5/28/03, and depends on Claim 22. This claim further recites the generating of the steam. Support for this claim is found in the support for Claim 22 and in Claim 1.

Appl. No. 09/735,186

Reply to Office communication of June 7, 2004

Claim 45 was presented as new in the amendment of 5/28/03, and depends on Claim 30. This claim further recites the generating of the steam. Support for this claim is found in the support for Claim 30 and in Claim 1.


Claim 46 was presented as new in the amendment of 5/28/03, and depends on Claim 37. This claim further recites the generating of the steam. Support for this claim is found in the support for Claim 37 and in Claim 1.

If the Examiner should feel that a telephone interview would be productive in resolving issues in the case, he is invited to telephone the undersigned at the number listed below.

July 29, 2004

1563 Solano Ave, #206
Berkeley, CA 94707
Tel: (510) 841-4711; Fax: (510) 217-6844

Respectfully submitted,



Steven R. Vosen
Registration No. 45,186